

m/003/060

**KIEWIT PACIFIC CO.****Swift Powerhouse Canal Project 36-5867**

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To: Mr. Darron Haddock From: Mike Pauletto
Fax: 1-801-359-3940 Pages: 2 including cover
Phone: _____ Date: 10/21/05
Re: _____ CC: _____

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I & P Investments
10517 NE 50th Avenue
Vancouver, WA 98686

M/003/060

October 18, 2005

Via fax: 801-359-3940

Mr. Darron Haddock
State of Utah
Division of Oil, Gas and Mining
P.O. Box 145801
Salt Lake City, Utah 84114-5801

Re: M/003/060

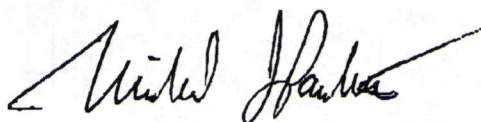
Dear Mr. Haddock,

This letter is to notify you that in addition to our letter dated September 26, 2005, in which we protested a citation to the Green Peak Quarry, operations of said quarry have been discontinued until spring of 2006. Stripping the whole site during the first season was never planned, and will be done incrementally as mining progresses. It does not make sense to strip areas that will not be mined for one to two years.

The amended notice of violation requires abatement by October 30, 2005. It is not possible to strip additional growth medium this year, notwithstanding our objection to the notice of violation, as amended. We are unable to meet any requirement for further removal of growth medium from the site with snowfall coming soon, and without the proper equipment to do so. No additional mining will take place on the site until next spring, by which time we anticipate having this matter resolved.

We look forward to discussing this matter with you at our meeting scheduled for November 9, 2005.

Sincerely,



Michael J. Pauletto

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